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Human resources management

Human resources management reform: recruitment and staffing

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 61/244 of 22 December 2006, in which the Secretary-General was requested to report at the second part of its resumed sixty-first session on matters pertaining to recruitment and staffing, including the development of an induction and training programme for the members of central review bodies, the efforts made to reduce the period required to fill vacancies, and the use of pre-screened rosters.

The present report provides an overview of progress made to date and next steps planned regarding the development and implementation of an induction and training programme for the members of the central review bodies, continuing efforts being undertaken to reduce the period required to fill vacancies, and further elaboration of the proposals for the use of pre-screened rosters for recruitment.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 61/244 of 22 December 2006, in which the Secretary-General was requested to report on matters concerning recruitment and staffing at the second part of its resumed sixty-first session.

2. In section II, paragraph 4 of the resolution, the General Assembly requested the Secretary-General to ensure the proper functioning and membership of the central review bodies in order to ensure their effective role in the staff selection system and, to that end, to develop an induction and training programme for the members. The present report provides an overview of action taken to date and next steps planned in the development of an induction and training programme for the members of the central review bodies.

3. In section II, paragraph 13, of resolution 61/244, the General Assembly reiterated its request to the Secretary-General to continue his efforts to reduce the period required to fill vacancies by addressing the factors contributing to the delays in the process of selection, recruitment and placement and to report to the General Assembly thereon at its sixty-first session. The present report provides an overview of progress made and next steps planned in reducing the period required to fill vacancies.

4. In his report on "Investing in people" (A/61/255), the Secretary-General proposed that rosters be used as the primary instrument for recruitment, placement and promotion for vacancies throughout the Secretariat, including in the field. The General Assembly, in section II, paragraph 10, of resolution 61/244 requested the Secretary-General to promote the full utilization of existing rosters for recruitment and to further elaborate the use of pre-screened rosters, based on the organizational needs identified through strategic workforce planning, taking into account the need for transparency, support for the provision of Article 101 of the Charter and administrative and resource implications, as well as geographical and gender mandates, and to report to it thereon at the second part of its resumed sixty-first session. The present report further elaborates proposals for the use of pre-screened rosters for recruitment.

II. Development of an induction and training programme for members of the central review bodies

A. Central review bodies

5. Central review bodies are joint staff-management bodies established by ST/SGB/2002/6 under staff rule 104.14. Their role is to approve evaluation criteria, and to review proposals for filling vacancies made by the department or office concerned in order to ensure that candidates are evaluated on the basis of the pre-approved evaluation criteria and/or that the applicable procedures were followed.

6. The central review bodies are established on a two-year term basis at all major duty stations: New York, Geneva, Vienna, Nairobi, Addis Ababa, Bangkok, Beirut and Santiago. There are also central review bodies at The Hague, Port of Spain,

Mexico City and Arusha. The Secretary-General's bulletin ST/SGB/2002/6 provides that half of the membership of each central review body should be selected by the Secretary-General and the other half by the staff representative body at the duty station concerned.

7. Three types of central review body have been established. The Central Review Boards, established in New York, Geneva, Nairobi and Vienna, review cases at the P-5 and D-1 levels. The Board in New York reviews cases at those levels from New York as well as Addis Ababa, Bangkok, Beirut and Santiago. The Central Review Committees review cases at the P-3 and P-4 levels and the Central Review Panels are responsible for cases in the General Service and related categories at the G-5 to G-7, TC-4 to TC-8 and S-3 to S-7 levels in their respective duty stations. Each central review body meets on a weekly basis, or as needed, to review submissions of evaluation criteria and recommendations for the filling of a vacancy. In the 2004-2005 biennium, central review bodies at all major duty stations conducted a total of over 1,300 meetings and endorsed recommendations for filling over 2,100 vacancies.

8. United Nations peacekeeping operations and special political missions have high-volume, dynamic recruitment requirements. In 2006, 2,776 staff selections were made. Peacekeeping operations and special political missions will benefit from the establishment of a dedicated central review body mechanism. The review bodies will ensure that the circulation of vacancy announcements is in line with organizational, procedural and job classification standards, and that the approved evaluation criteria are accurately and consistently applied in the evaluation of candidates for placement on the roster for service in United Nations peacekeeping operations and special political missions.

B. Current situation

9. New central review body members at all duty stations receive a basic orientation and induction training conducted by the Office of Human Resources Management or the human resources office at the duty station. The orientation sessions include a hands-on training module on the Galaxy e-staffing tool and an introduction to the relevant staff selection policies.

10. The Office of Human Resources Management has taken a number of steps to ensure the continuous improvement of the work of central review bodies in 2006. In order to ensure their familiarity with the Galaxy e-staffing tool and understanding of relevant rules and procedures, half-day orientation and training sessions continued to be delivered to all new central review body members at all duty stations. A briefing module on the role of the central review bodies has been developed by the Office of Human Resources Management and distributed to all offices away from Headquarters for the training of the members of local central review bodies. All offices reported using that presentation, along with locally developed materials, in their orientation and training sessions.

11. In accordance with staff rule 104.14, each central review body may establish its own rules of procedure. The rules of procedure for central review bodies in all duty stations have been reviewed by the Office of Human Resources Management for standardization and consistency and submitted to central review bodies at all offices away from Headquarters for their consideration and decision.

12. An information session for programme managers has been developed by the Office of Human Resources Management and made available to offices away from Headquarters for local delivery. Those sessions, which have been offered at Headquarters on a monthly basis, have reached more than 300 programme managers. Offices away from Headquarters use the materials to organize similar information sessions locally. The sessions cover the policies, guidelines and best practices in the creation of vacancy announcements and evaluation criteria, the evaluation of candidates and the presentation of recommendations to the central review bodies.

13. In March 2007, an electronic online questionnaire was developed and distributed to all members of the central review bodies in all duty stations. The questionnaire seeks to elicit feedback on training provided and to assess further training needs of members. That tool will assist the Office of Human Resources Management in identifying and responding to the needs and concerns of members of central review bodies.

C. Next steps

14. The Office of Human Resources Management, in cooperation with human resources offices throughout the Secretariat, will continue to make improvements to the orientation and training programme for members of central review bodies. In order to ensure greater consistency in central review body reviews, a new version of the *Guidelines for Central Review Bodies Review in the Staff Selection System* is being developed and introduced as part of the training programme. The guidelines, together with other manuals and tools such as case studies, will be made available electronically to other duty stations through the website of the Office of Human Resources Management. Enhanced orientation and training programmes will be offered to the members of central review bodies at all duty stations in 2007.

15. The Office of Human Resources Management will continue to play a proactive role in monitoring the training activities and needs of members of the central review bodies and will ensure that follow-up training sessions are offered throughout the Secretariat.

III. Efforts to reduce the period required to fill vacancies

A. Background

16. In response to General Assembly resolution 59/266 of 15 March 2005, the Secretariat reviewed the staff selection system in 2006 and presented its findings to the General Assembly in the Secretary-General's reports on human resources management reform (A/61/228 and Corr.1, paras. 60-91) and "Investing in people" (A/61/255, paras. 67-91). The review took into account recommendations of the Office of Internal Oversight Services, feedback on the Secretary-General's reform proposals received through outreach activities, internal reviews conducted by the Office of Human Resources Management, views of staff members who perform different roles in the staff selection system, as well as a benchmarking exercise carried out involving 22 United Nations funds and programmes, agencies, development banks and intergovernmental organizations.

17. The Staff Management Coordination Committee, the highest level of formal consultation between the staff and the management of the United Nations, discussed at its twenty-seventh session in June 2006 (SMCC-XXVII) the Secretary-General's human resources management reform proposals. The Committee expressed support for the Secretary-General's human resources management proposals and made a number of recommendations with respect to the details of the proposals, which were accepted by the Secretary-General and incorporated in the reform proposals. The Committee's proposals on the current policies on recruitment and staffing were incorporated in the revised staff selection system and promulgated in administrative instruction ST/AI/2006/3.

18. Feedback from multiple sources, as indicated above, reveals that factors influencing the duration of the process of filling vacancies include: (a) complexity of the policies, including the eligibility requirements governing the system; (b) the large number of applications, which places an added burden on programme managers and administrators; (c) the e-staffing support tool, which does not handle effectively the large volume of applications, and is not found to be sufficiently user-friendly; (d) lack of familiarity of programme managers with the policies, procedures and electronic tool; and (e) background checks and administrative clearances of candidates, which are conducted after the selection decision is made.

B. Progress to date

19. As noted in the Secretary-General's report (A/61/228 and Corr.1), the staff selection system, supported by its Galaxy e-staffing tool, significantly reduced the average number of days to fill vacancies from 275 days under the previous system to 174 days. The Secretary-General recognizes that more progress needs to be made. The following paragraphs outline the current progress in addressing several of the factors identified above.

1. Simplification of policies and procedures

20. Generic job profiles are increasingly being used as the basis for vacancy announcements. Evaluation criteria are also being revised to standardize the competency and qualification requirements. Those efforts are expected to reduce the time spent by managers on those critical steps of the selection process and decrease the rate of cases being returned from the central review bodies to the managers, thereby further reducing the average number of days to fill vacancies. That will also contribute to greater transparency and consistency.

21. Vacancy announcements are published in both English and French, the two working languages of the Secretariat. The number of vacancy announcements has increased over the years, resulting in increased requirements for translation. To address this issue, the Office of Human Resources Management proposes to leverage the use of information technology and to streamline the process by using generic vacancy announcements, which would be available online. Since the generic vacancy announcements would be available in both working languages, the time spent on the translation process is expected to be reduced.

22. A review of business processes is currently being undertaken in preparation for the introduction of a new e-staffing tool and the new enterprise resource planning

(ERP) system. The review will result in the simplification and streamlining of policies and processes used to fill vacancies.

2. Enhancement of information technology support tool

23. While the introduction of the Galaxy e-staffing tool broadened access to United Nations vacancies and increased the transparency of recruitment processes, its technological infrastructure limits its flexibility and does not allow for modifications that are required to accommodate dynamic and changing operational needs. As the volume of applications has increased, system performance and speed of access has decreased, especially for offices away from Headquarters. Concerns have also been expressed about Galaxy's ease of use, accessibility, efficiency and integration with other systems.

24. The current technology supporting the Galaxy e-staffing system does not allow for management of rosters or for a speedy matching and evaluation of candidates against vacancy announcements.

25. As approved by the General Assembly in section XIII, paragraph 2, of its resolution 61/244, the Secretariat is currently strengthening its human resources information technology systems, including replacement of Galaxy with a new e-staffing tool with the flexibility to meet the Organization's changing needs. The Secretariat is committed to address those issues that contribute to the delays in the filling of vacancies.

3. Training of central review bodies and programme managers

26. With a view to speeding up the process, the Office of Human Resources Management has been conducting training on the preparation of vacancy announcements, evaluation criteria and the evaluation of candidates tailored to meet the needs of programme managers and the members of central review bodies. In addition, all interview panel members are now required to complete training in competency-based interviewing.

C. Next steps

27. Since the introduction of the staff selection system in 2002, there has been a significant improvement in reducing the delays in filling vacancies. The obstacles identified in the recent review of the system are being actively addressed as described in the above paragraphs.

28. In his report "Investing in people", the Secretary-General proposed a strategy for the development of a more proactive, targeted and speedy recruitment system, as part of the new human resources framework. In accordance with that strategy, subject to availability of resources, it is envisaged that proactive and targeted recruitment campaigns will be undertaken to provide information about employment opportunities with the United Nations and to invite applications from prospective candidates. Such outreach efforts would be based on strategic and systematic workforce planning, including analysis of supply and demand requirements, proposing solutions to address gaps, while ensuring coordination with the human resources action plans within each department.

29. The introduction of workforce planning and the use of pre-screened rosters as the primary instrument for recruitment and placement, would further contribute to reducing the recruitment time by redesigning and streamlining the existing work processes, bringing upstream many time-consuming steps of the recruitment process.

30. In order to further speed up the selection process, training and guidance to staff members who play key roles in the staff selection system will continue to be provided. In addition, the new e-staffing tool will contain improved functions to reduce processing time.

31. It is expected that the ongoing efforts and measures presented in the present report will result in improved timeliness in the filling of vacancies to meet the Organization's staffing needs. Further progress, however, would be subject to the introduction of pre-screened rosters described below.

IV. Use of rosters

32. The present section addresses the General Assembly request that the Secretary-General promote the full utilization of existing rosters for recruitment and the progress made to date in enhancing the use of existing rosters.

A. Promoting the full utilization of existing rosters for recruitment

33. Currently, there are a number of different rosters, including: (a) rosters created under the staff selection system; (b) rosters of candidates cleared for selection for posts in peacekeeping operations maintained by the Department of Peacekeeping Operations; and (c) rosters of candidates for entry-level posts in the Professional category who have been successful in the national competitive recruitment examination, the examination for movement from the General Service and related categories to the Professional category, and the examinations for language posts (maintained by the Department for General Assembly and Conference Management).

34. As mandated by the General Assembly, currently, all vacancies for posts under the 100 series of the staff rules subject to the staff selection system are advertised. Individual vacancy announcements are issued as and when vacancies arise. Following the review process, candidates who are recommended for a vacancy but not selected are placed on a roster for one year starting from the first of the month after the selection decision. Within the one-year period, they may be selected for subsequent vacancies that are similar to the vacancy to which they originally applied. In order to promote gender balance, female candidates rostered as of 1 January 2007 will remain on the roster for three years.

35. Roster candidates may be selected without reverting to a central review body. All departments and offices have been encouraged to fully utilize the roster in making selections, as that broadens the pool of available candidates, expedites the process and encourages consistency in the review of candidates. The current e-staffing tool cannot fully support the selection of candidates from the roster. The introduction of a new e-staffing tool will address that problem.

36. The Department of Peacekeeping Operations makes extensive use of rosters to fill vacancies in United Nations peacekeeping operations and special political missions. Vacancy announcements are formulated on the basis of either a classified job description or an approved generic job profile. As a rule, generic, open-ended vacancy announcements are posted to fill existing and projected needs in the field. Candidates are able to view on the Galaxy website the location and type of current vacancies, and to indicate the positions and missions of interest to them. Post-specific vacancies are issued in cases where the position is highly specialized and cannot be filled in the first instance through the existing rosters.

37. Applicants to both generic and post-specific vacancy announcements are screened against primary eligibility criteria; i.e., education, experience, defined competency and language skill requirements. The first-level screening is conducted at Headquarters by the Department of Peacekeeping Operations Personnel Management and Support Service, which includes eligible candidates on the roster. Field mission Personnel Sections, which have electronic access to the rosters, compile a short list of candidates for a specific mission vacancy. A second level, technical screening process is then conducted by a subject-matter expert in the mission for posts up to the P-4 level, or at Headquarters, if such an expert is not available in the mission or if the post is above the P-4 level. With the assistance of the Personnel Section, the field mission programme manager conducts a competency-based interview and comparative evaluation of the short list of candidates. The selection is made and documented at the level of the mission. The integrity of the process is certified at both the field and Headquarters level by the Chief Administrative Officer/Director of Administration and the Personnel Management and Support, respectively. Candidates who have been cleared as meeting the eligibility and technical requirements of a post are placed on a roster for one year. If they are not selected for a position during that year, they will be invited to again express their interest by reapplying.

38. For established P-2 posts, selections are made through the roster of successful candidates in the national competitive examination, the examination for movement from the General Service and related categories to the Professional category, and the examinations for language posts. Candidates for entry-level posts in the General Service and related categories are also selected from rosters.

39. Currently, the e-staffing tool is being modified to make the personal history profiles of national competitive examination candidates available online to enable programme managers direct access to the profiles. The roster is updated periodically to ensure that it contains candidates who continue to be available for recruitment. In the training for programme managers, the policies and procedures for recruiting national competitive examination candidates are described and the selection of candidates from the roster is encouraged.

40. To ensure the expeditious filling of P-2 posts subject to geographical distribution, in accordance with resolution 61/244, the Assistant Secretary-General for Human Resources Management has the authority to place candidates on such posts that have not been filled after a period of three months.

41. Experience to date shows that the establishment of rosters expedites the recruitment process. The Office of Human Resources Management is taking concrete steps to proactively promote the full utilization of existing rosters, including by briefing senior management and programme managers on the benefits

of utilizing the roster system to expedite the selection process. In addition, the introduction of a new technology platform will further promote the full use of existing rosters for recruitment.

B. Proposal: framework of pre-screened roster system

42. Moving beyond the use of current rosters, the Secretary-General's report on "Investing in people" (A/61/255, paras. 70-75) envisages the use of pre-screened rosters as the primary instrument for filling vacancies throughout the Secretariat, including in the field. The preparations for the establishment of a pre-screened roster system comprise five building blocks, including: (a) strategic workforce planning to identify the Organization's staffing needs; (b) use of generic vacancy announcements; (c) creation of expert groups; (d) expanded use of central review bodies throughout the Secretariat; and (e) upstreamed clearance process.

43. The roster of pre-screened candidates would include those who have either succeeded in a competitive examination or been reviewed and found suitable by the process described below. Programme managers will then be able to select from the appropriate pool of candidates identified as suitable for a particular type of vacancy. That process, coupled with the upstream work, will significantly simplify and speed up the selection of candidates, and allow them to take up their functions more quickly.

1. Strategic workforce planning

44. As an integral part of strategic workforce planning, identification of the Organization's staffing needs, including in field missions, would regularly be undertaken. Strategic workforce planning takes into account new mandates, retirements, skill gaps, new posts, upcoming post occupancy limits, and the geography and gender profile of the Organization. Based on the findings of the planning exercises, generic vacancy announcements would be issued for different occupational groups. In that context, proactive outreach would be conducted to bring in range Member States that are unrepresented and underrepresented and those that might fall below their desirable ranges.

45. Strategic workforce planning for United Nations peace operations would continue to be carried out by the Department of Peacekeeping Operations, in consultation with the Office of Human Resources Management. As described in the report of the Secretary-General entitled "Reforming the Field Service category: investing in meeting the human resources requirements of United Nations peace operations in the twenty-first century" (A/61/255/Add.1 and Corr.1), the Department of Peacekeeping Operations conducted an in-depth assessment of the medium-term staffing needs for peace operations. On the basis of its analysis, the Department identified a baseline requirement for 2,500 civilian career peacekeepers to perform substantive and support functions at both the Professional and Field Service levels to meet the minimum peacekeeping staffing requirements in the medium term. The numbers, levels and functions of the positions identified as the baseline requirement would be kept under review and updated to reflect the evolving nature and needs of peacekeeping.

46. The Department of Peacekeeping Operations would also develop appropriate planning for staffing requirements over and above 2,500, including rapid

recruitment mechanisms for temporary surge personnel and a flexible staffing strategy that would respond to the needs of missions at various stages, for example, the gradual replacement of international staff with national staff and the use of United Nations Volunteers at the start-up of a mission to help train local staff, thereby building skills needed by the mission as well as contributing to building national capacity. In coordination with the Office of Human Resources Management, outreach efforts will focus on identifying candidates for hard-to-fill occupational groups, on identifying qualified and available female candidates to the field and on securing a broad geographical representation in United Nations peacekeeping and political missions.

2. Generic vacancy announcements

47. Currently, generic job profiles are already being used in the creation of most vacancy announcements. It is proposed that generic vacancy announcements, derived from generic job profiles, be used for most positions in the Secretariat. The generic vacancy announcements would be used at all duty stations, including the field, for posts in the same occupational groups and levels.

48. The generic vacancy announcements would reflect the needs of departments and offices and contain the key elements of generic job profiles such as responsibilities, competencies, qualifications including education, experience, language and other skills. Generic vacancy announcements will provide the details necessary to attract the right profile of candidates, including, where possible, an indication of the department or duty station where the post may be available. In cases where posts are highly specialized and managers were unable to identify a suitable candidate from a roster, specific vacancy announcements would be issued. The procedures for selecting a candidate after advertising for a specific post would remain as under the current system, including the review of evaluation criteria and the process by a joint body.

49. Based on anticipated needs, generic vacancy announcements would be posted as often as necessary. The period of circulation of generic vacancy announcements would be 60 days. To meet the high-volume and complex staffing requirements of United Nations peacekeeping and special political missions, rosters will normally have to be continually replenished through the circulation of open-ended vacancy announcements.

50. The personal history forms will be redesigned to enable the electronic screening of applicants against the requirements specified in a vacancy announcement.

3. Expert groups

51. Expert groups, comprised of staff members with substantive knowledge and experience in a particular occupational group, would be established to conduct the substantive screening of candidates. They would conduct competency-based interviews of those candidates assessed to have met the requirements and make recommendations to the central review bodies for placement on the roster. Departments, offices and/or field missions would nominate their staff to participate in the work of expert groups as appropriate and necessary.

4. Central review bodies

52. The central review bodies would continue to ensure that the process was properly followed prior to the placement of candidates on the roster. That would include the initial approval of the generic vacancy announcements and the applicable evaluation criteria. The central review bodies would also ascertain that recommendations for placement on the roster are reasoned and objectively justifiable based on the pre-approved evaluation criteria and there is no mistake of fact, law or procedure, prejudice or improper motive that could have prevented a full and fair consideration of the requisite qualifications and experience of the candidates. In cases of specific vacancy announcements, the central review bodies would perform the same role as in the current system.

53. The use of central review bodies would be expanded, taking into account the operational needs of the various departments and offices, including peacekeeping and special political missions. That would ensure standardization and consistency in the rostering and selection of staff throughout the Secretariat.

5. Placement on the roster

54. Following endorsement by a central review body, candidates would be administratively cleared before being placed on a roster. Such clearance would include checking of references, educational background, employment history and internal clearances to perform administrative functions, if required. Currently, administrative clearance is done only after a candidate is selected, which contributes to delays in bringing a candidate on board. Conducting that procedure in advance would speed up and simplify bringing candidates on board.

6. Selection from the roster

55. When a vacancy arises, the head of department or office would be able to select from the roster of candidates who have been assessed to be qualified for the relevant occupational group at the level of the vacancy. Selection of a staff member for a higher-level post would result in either a lateral move or a promotion, while selection of an external candidate would result in recruitment action. In accordance with staff regulation 4.4, in making a selection, full consideration would have to be given to the qualifications and experience of serving staff members. In selecting a candidate for a particular vacancy, the head of department, office or field mission would have to take into account the targets in the human resources action plan in order to ensure compliance with the mandates of the General Assembly.

7. Roster management

56. The roster of pre-screened candidates would be actively managed in order to ensure that candidates continue to be available and interested, and that their information is kept up to date. Candidates would remain on the roster for a limited period. The rosters would be replenished periodically to ensure that staff members as well as external candidates have regular opportunities to be considered for vacancies. The size of the roster would be monitored to ensure that it meets the anticipated needs as well as unforeseen demands but does not result in an excess number of candidates.

8. Ensuring that Article 101 of the Charter is observed

57. The Charter, in Article 101, paragraph 3, states: "The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

58. The proposed system contains mechanisms which would ensure that the best qualified candidates, both external and internal, are placed on the roster. Those mechanisms include the use of expert groups and central review bodies. The Office of Human Resources Management would actively manage the roster of candidates for positions throughout the global Secretariat. The Department of Peacekeeping Operations would continue to exercise delegated authority to develop and manage additional rosters of candidates to meet the specific requirements of the United Nations peacekeeping operations and special political missions. Heads of department and office would retain delegated authority for recruitment and placement and, together with their programme managers, remain responsible for ensuring that the vacant posts are filled in a timely manner, by the most suitable candidate, and in accordance with the organizational mandates, principles and standards. The existing mechanisms for ensuring geographical distribution and gender balance, set out in ST/AI/2006/3, would remain applicable.

59. To support the career progression of serving staff members, managers are accountable for the development and learning of their staff, for creating an environment conducive to the professional development of their staff, and for ensuring that knowledge is shared and knowledge management systems are in place.

9. Ensuring transparency

60. The use of generic vacancy announcements would ensure that the requirements for positions in different occupational groups and levels are consistent throughout the Organization. For each occupational group and level, candidates would be assessed against the same evaluation criteria by a panel of experts who would have knowledge in substantive areas. That process would be reviewed by central review bodies to further ensure compliance with the applicable procedures.

61. When recommending selection of a candidate to the head of department, programme managers will be required to substantiate the recommendation in writing. Candidates who were interviewed but not selected will be so informed.

62. In cases where delegated authority in the management of human resources has been improperly exercised, the delegation of authority may be limited or withdrawn by the Secretary-General.

10. Ensuring compliance with geography and gender mandates

63. In the context of workforce planning, the Office of Human Resources Management identifies the Member States that are unrepresented and underrepresented or might fall below their desirable ranges. It is envisaged that more proactive outreach would be conducted to attract suitable candidates from such Member States. In addition, outreach strategies to expand the pool of qualified women candidates, especially for senior positions and in occupational groups where women are seriously underrepresented, would be undertaken.

64. In the selection of candidates for posts, heads of department or office would be guided by commitments made in their human resources action plans. Heads of department are required to certify that the geography and gender targets as set out in their respective Human Resources Action Plans were taken into account in selection decisions. In cases where department heads, particularly those who are not meeting departmental targets for geography and gender, would intend to select an external candidate from an overrepresented Member State or a male candidate where there is an equally qualified female candidate, that selection needs to be justified to and approved by the Office of Human Resources Management, in accordance with resolution 61/244.

65. Performance of heads of department or office in meeting human resources management objectives is periodically reviewed by the Management Performance Board, chaired by the Deputy Secretary-General, which serves as an instrument of managerial accountability at the highest levels. In this context, compliance with mandates on equitable geographic distribution and gender balance set by the General Assembly are key performance indicators.

66. Although the system of desirable geographical distribution ranges does not apply to the recruitment of staff to United Nations peacekeeping and special political missions, the Department of Peacekeeping Operations ensures that due consideration is given to geographical representation, as required under Article 101.3 of the Charter of the United Nations. Dedicated efforts are also made to secure as high a representation as possible of female staff in the field. Finally, in accordance with the spirit of General Assembly resolution 55/238, staff serving in the Department of Peacekeeping Operations at Headquarters and in the field should properly reflect the contribution of troop-contributing countries to United Nations peacekeeping. The Human Resources Action Plan for the Head of the Department of Peacekeeping Operations will include overall targets and goals for staffing the Department of Peacekeeping Operations both at Headquarters and in the field, in line with these considerations. In keeping with the established reporting lines, the Special Representative of the Secretary-General/Head of Mission will, in turn, be held accountable to the Secretary-General, through the Under-Secretary-General for Peacekeeping Operations, for the performance of his/her mission in meeting the Human Resources Action Plan targets and goals set for the specific mission.

C. Anticipated benefits

67. The pre-screened roster system represents an important initiative to strengthen the ability of the Secretariat to deploy qualified candidates in a timely manner. Proactive and strategic recruitment would enhance the ability of the Organization to attract and retain high quality staff who meet organizational needs and standards. It would also help to reduce the high vacancy rates that prevail in certain duty stations and in field operations.

68. The use of pre-screened rosters to fill vacancies would expedite and streamline the staff selection process and enhance transparency, simplicity and flexibility to meet a variety of staffing needs and to avoid the duplication of effort, reduce administrative delays and shorten the time required to fill a vacancy.

69. The implementation of the proposal is linked to the availability of resources, as described in the Secretary-General's report on "Investing in people" and in the budget request for the 2008-2009 biennium.

70. The Assembly is invited to take note of the present report.

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Human resources management

Measures to address the imbalance in the geographical distribution of the staff in the Office of the United Nations High Commissioner for Human Rights

Report of the Secretary-General

Summary

The present report proposes measures to address the imbalance in the geographical distribution of the staff of the Office of the United Nations High Commissioner for Human Rights, as requested by the General Assembly in its resolution 61/244.

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I. Introduction

1. The present report is submitted in accordance with resolution 61/244, in which the General Assembly requested the Secretary-General to present, in consultation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), proposals to address the imbalance in the geographical distribution of the staff in that Office.

II. Background

2. The issue of the imbalance in the geographical distribution of the staff in OHCHR was repeatedly raised by the Commission on Human Rights as a matter of serious concern. Requests to correct this imbalance were conveyed by the Commission through several resolutions adopted after 1997, when the current arrangements for the Office were introduced.

3. The Commission on Human Rights, in its resolution 2002/80, requested the Joint Inspection Unit (JIU) to undertake a comprehensive review of the management and administration of OHCHR, in particular with regard to its impact on recruitment policies and the composition of the staff. The JIU report (A/59/65-E/2004/48) highlighted several areas requiring improvement and presented proposals aimed at addressing the situation. In his comments (A/59/65/Add.1-E/2004/48/Add.1), the Secretary-General noted that the best course of action to implement the recommendations would be determined in consultation with the Office of Human Resources Management. The General Assembly, in its resolution 59/266, noted that JIU would submit a follow-up report.

4. The JIU report on follow-up to the management review of OHCHR was transmitted to the General Assembly in a note by the Secretary-General (A/61/115). It recommended that the Secretariat take measures to consider the specific situation of unrepresentation and underrepresentation in OHCHR when organizing specialized competitive human rights examinations and to prepare an action plan aimed at reducing the current imbalance in the Office's geographical distribution. JIU recognized that real change would take place over time, but called on OHCHR to reverse the current trend of increasing recruitment from overrepresented regions. The Secretary-General in his comments (A/61/115/Add.1) agreed that further efforts are needed to address the issue of geographical distribution, and noted that steps are being taken to improve the situation in OHCHR but that their impact will be tangible only in the medium term.

5. In its resolution 61/159, the General Assembly regretted that efforts to address the imbalance regarding the regional geographical diversity of the staff of OHCHR had not resulted in a significant improvement. It noted the low representation from the regional groups of African, Asian, Eastern European, and Latin American and Caribbean States in the staff of the Office. The General Assembly further reaffirmed that the Fifth Committee is the appropriate Main Committee entrusted with responsibilities for administrative and budgetary matters. The Assembly decided, inter alia, to allow, in the effort to redress the specific geographical imbalance of the Office, the establishment of a temporary mechanism whereby recruitment of staff in the Office at the P-2 level would not be restricted to successful candidates from the national competitive examination.

6. Subsequently, on the recommendation of the Fifth Committee, the General Assembly adopted resolution 61/244 in which it requested the Secretary-General to present to it at the first part of its resumed sixty-first session proposals to address the imbalance in the geographical distribution of the staff in that Office.

III. Rationale for proposals

7. The Secretary-General has formulated his response to this request on the basis of long-standing principles established by the General Assembly that govern the recruitment of staff, which were restated in sections II and X of Assembly resolution 61/244. The Assembly calls on the Secretary-General to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard to the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations. It confirms that recruitment, appointment and promotion of staff shall be made without distinction as to race, sex or religion, in accordance with the principles of the Charter and the provisions of the Staff Regulations and Rules of the United Nations. It requests the Secretary-General to continue his ongoing efforts to attain equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all departments and offices of the Secretariat. It also requests the Secretary-General to intensify his efforts to increase recruitment from unrepresented and underrepresented Member States and to undertake outreach efforts designed to prevent countries from falling under those categories. The Assembly further stresses that encouragement of recruitment from unrepresented and underrepresented Member States shall not disallow other qualified candidates from competing.

8. Regarding recruitment at the P-2 level, due note was taken of resolution 61/159, in which the General Assembly decided to allow the establishment of a temporary mechanism whereby recruitment of staff in OHCHR would not be restricted to successful candidates from the national competitive examination (NCE). Note was also taken of the wording of section III, paragraph 1, of resolution 61/244, in which the General Assembly qualified the language of its prior resolutions 51/226, 53/221, 55/258 and 57/305, providing that appointment to P-1 and P-2 posts shall be made exclusively through competitive examinations, by stating that national competitive examinations are the source of recruitment for P-2 posts subject to geographical distribution in order to reduce non-representation and underrepresentation of Member States in the Secretariat (emphasis added). Such a qualification would permit recruitment at the P-2 level outside the NCE for posts other than those subject to geographical distribution, of which there are a significant number in OHCHR. In this context, the Secretary-General observes that, in order to ensure continued consistency between the Staff Rules and the relevant provisions of the General Assembly resolutions, the text of staff rule 104.15 (b) will need to be amended since it currently states: "Appointment to P-1 and P-2 posts and to posts requiring special language competence shall be made exclusively through competitive examination". An amendment to that effect is contained in the annex to the present report.

9. The present report explains the measures currently being implemented by the Office of Human Resources Management and OHCHR to improve the geographical

distribution of staff in OHCHR, and presents a number of additional measures to accelerate the improvement.

IV. Measures currently implemented

10. NCEs in human rights were organized in 2001 and 2005, resulting in the establishment of a roster of highly qualified candidates. All candidates from Member States other than the Western European and Other States group have by now been recruited. The remaining candidates on the roster come from the group of Western European and Other States.[1]

11. NCEs are offered to unrepresented and underrepresented Member States and those in danger of becoming so ("within range, below mid-point"). OHCHR continues to encourage wide participation of nationals of these Member States. The Office of Human Resources Management, in collaboration with OHCHR, is reviewing the list of proposed countries for 2008 with a view to offering the human rights NCE only to the Member States which would help correct the imbalance in OHCHR's geographical distribution. OHCHR is counting on the cooperation of Member States in encouraging wide participation by their nationals in the NCE exercise to help ensure the widest possible pool of qualified candidates from unrepresented and underrepresented countries. In order to achieve as wide a participation as possible, OHCHR is committed to support the efforts of the Office of Human Resources Management to attract candidates from unrepresented and underrepresented Member States or Member States in danger of becoming so.

12. In order to facilitate the timely marking of the 2008 human rights NCE, the Office of Human Resources Management has recommended that OHCHR consider the funding of consultants in the field of human rights who can assist in marking the examination. This measure is expected to significantly reduce the time that would otherwise be required to place successful candidates on the roster.

13. The Office of Human Resources Management also reviews the 2007 NCE rosters of candidates successful in legal affairs and other occupational groups relevant to OHCHR who meet the targeted geographical criteria and who possess the requisite background in human rights to fill P-2 posts.

14. In respect of posts at other levels, efforts are being made to widen the pool of qualified candidates. These efforts include the measures described in paragraphs 16 to 21 below.

15. OHCHR has drawn the attention of potential applicants to OHCHR vacancies by advertising posts on the United Nations Secretariat Galaxy e-staffing system and in widely read international periodicals.

16. With a view to ensuring that vacancies are advertised as widely as possible within Member States, OHCHR has constituted mailing lists of over 1,200 governmental institutions, non-governmental organizations in the area of human rights, national human rights institutions and academic institutions willing to disseminate information on upcoming OHCHR vacancies and to bring the names of potential candidates from their own rosters to the attention of OHCHR.

[1] The distribution of staff by regional groups is maintained by OHCHR at the request of the Human Rights Council.

17. OHCHR has introduced an internal strategy aimed at improving geographical diversity. This includes a mechanism to review the recruitment process for each vacancy prior to final selection, so as to ensure that every effort has been made to identify and select qualified candidates from regions requiring improvement, with full consideration of and adherence to the Staff Regulations and Rules of the United Nations. The goal of this exercise is to maximize the number of additional qualified candidates from desirable geographical regions, not to exclude candidates from other regions, in order to have the broadest possible pool of recommended candidates for every post.

18. Each OHCHR branch/office is provided with information on the overall geographical composition of OHCHR, which clearly identifies the regions requiring improvement. All chiefs of branch are required to include among their goals geographical distribution targets for the branch under their supervision. Senior managers are held responsible for their efforts and success in improving geographical diversity in their divisions. Achievements are regularly monitored by the Programme Support and Management Services of OHCHR, which produce periodic reports for review by senior management. All staff members involved in recruitment activities have been informed of the OHCHR objectives and have received guidance, as required, on how to improve geographical distribution.

19. The above efforts have begun to show positive results. Of the 45 selection decisions made for Professional posts since the procedures were instituted in late September 2006, 31 (69 per cent) related to nationals from regions requiring improved representation within OHCHR. It may be noted that 10 of the 14 selections of nationals from the region already well-represented in OHCHR were internal promotions of staff members, and thus geographically neutral. A similar percentage (67 per cent) applied to selections for senior posts (P-5 and above) during this period, with 8 of 12 appointments coming from regions requiring improved representation.

20. OHCHR will continue to avail itself of the services of individuals from unrepresented and underrepresented countries through staff-exchange mechanisms, such as existing agreements on inter-agency transfers, secondments and loans.

V. Proposed additional measures

21. In the plan of action of the United Nations High Commissioner for Human Rights, called for by the Secretary-General in his report entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), the High Commissioner presented a strategic vision for the future direction of the Office (A/59/2005/Add.3). In paragraph 120 of this document, the High Commissioner stated that achieving geographical balance in OHCHR will remain one of her priorities. She also reiterated that while the primary consideration in the selection of staff is the need to secure the highest standards of competence, integrity and efficiency, OHCHR will also pay due regard to recruiting and selecting individuals on as wide a geographical basis as possible.

22. This commitment was elaborated upon in a special action plan for achieving equitable geographical representation presented in the subsequent reports of the High Commissioner on the Composition of the staff of the Office (E/CN.4/2006/103

and A/HRC/4/93), which contained a number of action points aimed at improving the situation with regard to geographical representation among OHCHR staff.

23. NCE rosters will continue to be a primary source for recruitment of staff at the P-2 level. NCE candidates can be placed against regular budget and extrabudgetary posts; in the latter case, the practice is that the recruiting department must undertake to absorb the staff recruited against extrabudgetary posts, which are not subject to the system of desirable ranges, in the event that the funding for the original post is exhausted. This is required because, after a probationary period, NCE candidates receive permanent contracts with geographical appointment status.

24. In addition, in accordance with General Assembly resolution 61/159, a temporary mechanism is being established that would allow OHCHR to recruit candidates at the P-2 level from sources other than the NCE roster. In order not to compromise the principle of equitable geographical distribution in the Secretariat, it is proposed to recruit such staff to P-2 posts that are not subject to geographical distribution. They would be considered as internal candidates for other non-geographical posts in the Secretariat, but as 60-day candidates for posts subject to geographical distribution. Similarly, for P-3 posts funded from extrabudgetary sources, it is proposed that OHCHR may recruit qualified external candidates from regions requiring improved representation in the Office.

25. OHCHR, with assistance from the Office of Human Resources Management, will organize targeted recruitment campaigns for vacancies in the Professional and higher categories by liaising with Member States and other sources to identify applicants from OHCHR's list of countries targeted for improvement of representation among its staff.

26. Careful consideration will be given to geographical balance among associate experts, whose employment has also been the subject of scrutiny by Member States. Every effort will be made to encourage Member States sponsoring associate experts to extend their national programmes to nationals from developing countries, which is already being done by a number of Governments.

27. While seeking to achieve a more equitable geographical distribution, OHCHR will continue to pay special attention to the issue of gender balance. Determination and concerted effort have already brought success in this area, as demonstrated by the fact that, as at 31 December 2006, women represented 51.7 per cent of regular OHCHR staff and 53.7 per cent of temporary OHCHR staff, equivalent to an overall ratio of 52.7 per cent.

VI. Conclusions and recommendation

28. The Secretary-General considers improvement of the geographical representation of staff in the Office of the United Nations High Commissioner for Human Rights to be a matter of priority. He will continue his best efforts to achieve this goal.

29. The General Assembly is invited to take note of the proposals contained in this report and the amended staff rule 104.15 (b) contained in the annex.

Annex

Amendment to staff rule 104.15

Rule 104.15

Competitive examinations

(a) Boards of Examiners established by the Secretary-General shall ensure the regularity of the competitive examinations administered in accordance with conditions established by the Secretary-General.

(b) Boards of Examiners shall make recommendations to the Secretary-General in respect of the following:

(i) Appointment

Appointment to P-1 and P-2 posts **subject to geographical distribution** and to posts requiring special language competence shall be made exclusively through competitive examination. Appointment to posts at the P-3 level shall be made normally through competitive examination **or as a result of promotion of staff members previously appointed at the P-2 level after a competitive examination**.

(ii) Recruitment to the Professional category of staff from the General Service and related categories

Recruitment to the Professional category of staff from the General Service and related categories having successfully passed the appropriate competitive examinations shall be made within the limits established by the General Assembly. Such recruitment shall be made exclusively through competitive examination.

(c) Staff members appointed to the Professional level after a competitive examination shall be subject to mandatory reassignment, under conditions established by the Secretary-General.

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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

Report of the Secretary-General

Summary

In its resolutions 61/241 and 61/242 of 22 December 2006, the General Assembly endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report on financial and any other implications resulting from the introduction of a staff retention bonus at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/591), which, inter alia, requested the Secretary-General to further explore ways and means of applying existing Staff Regulations and Rules, including annex III thereto (which deals with termination indemnities) with a view to achieving the desired objectives of retaining staff throughout the completion phases of the mandates of the Tribunals. In the same report, the Advisory Committee requested the Secretary-General to present a comprehensive proposal with the procedures to be applied, the decision required of the Assembly and a clearer

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projection of the numbers of staff required to be retained during the foreseeable phases of the completion strategy

The present report is submitted in response to General Assembly resolutions 61/241 and 61/242. It outlines a comprehensive proposal on appropriate incentives to retain staff of the Tribunals while taking into consideration, to the extent possible and with adaptations, as necessary, the application of existing Staff Regulations and Rules, including annex III.

I. Introduction

1. In his report of 22 November 2006, on financial and any other implications resulting from the introduction of a staff retention bonus at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/522), the Secretary-General presented the findings of a cost-benefit analysis carried out at the Tribunals on the costs applicable under the status quo (e.g., the projected increases in turnover rates and the implications thereof for the completion of their mandates) as compared with the costs associated with the payment of a form of retention incentive for the staff who are required to stay with the Tribunals until their posts are no longer required.

2. As set out in paragraphs 11 to 22 of that report (A/61/522), based on the cost components analysed, primarily consisting of: (a) the loss of productivity (delays in proceedings); (b) the direct costs of appointment and separation of staff (rotation costs); and (c) the actual payment of the retention incentive, the financial implications arising from the introduction of a retention incentive would far offset the additional costs related to higher rates of staff turnover. On the financing side, it is estimated that the establishment of a retention incentive payment would amount to $11.2 million and $12.1 million for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, respectively.

3. The Advisory Committee on Administrative and Budgetary Questions, in its report on financial and any other implications resulting from the introduction of a staff retention bonus at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/61/591) noted that it is evident that the Tribunals need to provide incentives as a tool to allow them to retain the services of key personnel as long as they are needed by the Tribunals. The Advisory Committee recommended that the General Assembly, with a view to achieving the desired objective, request the Secretary-General to further explore ways and means of applying the existing Staff Regulations and Rules, including annex III thereto (which deals with termination indemnities).

4. In its resolutions 61/241 and 61/242 of 22 December 2006, the General Assembly endorsed the recommendations of the Advisory Committee, which, inter alia, requested the Secretary-General to prepare a comprehensive proposal with the procedure to be applied, the decisions required of the Assembly and a clearer projection of the number of staff required to be retained to achieve the stated objective, taking into account the latest updated time frame of the completion strategy. The present report is submitted pursuant to that request.

II. Retention incentive in the context of the Staff Regulations and Rules

5. The Tribunals, in consultation with the Office of Human Resources Management, have explored ways and means of applying the existing Staff Regulations and Rules, including annex III thereto, with a view to achieving the desired objective of retaining staff throughout the completion phases of their mandates.

6. In that regard, it would be recalled that the methodology for the payment of the retention incentive as suggested in the report of the Secretary-General (A/61/522) is derived by reference to the principle contained in annex III, Termination indemnity, to the Staff Regulations and Rules, which provides for overall average payments equivalent to one month of salary per year of service. In that report, it was noted that the proposed payment would be consistent with the practice followed by other public and private sector companies in applying retention policy models. The proposed incentive would apply only to the Tribunals, whose unique status is anchored in the fact that: (a) their mandate is temporary in nature; (b) a large proportion of their staff perform specialized functions not normally found in the United Nations system; and (c) they will both close down in accordance with Security Council resolutions 1503 (2003) and 1534 (2004).

7. The existing provisions contained in annex III to the Staff Regulations and Rules apply only to staff holding the following types of contracts:

(a) Permanent appointments;

(b) Temporary appointments which are not for a fixed term (e.g. indefinite appointments);

(c) Fixed-term appointments which are terminated prior to the contract expiration date.

8. Annex III excludes payment of the indemnity for staff on fixed-term contracts who separate on the expiration date of the contract. That would prevent payment of an indemnity to the staff of the Tribunals who are required to remain with the Tribunals until their services are no longer required and who have been given contracts until the end of the period when their services will be needed.

9. Furthermore, annex III to the Staff Regulations provides for a schedule of payments for staff with fixed-term appointments, which does not seem to be appropriate in the context of the incentive package under consideration. The calculation of the indemnity for staff on fixed-term appointments with less than six years of service is not based on the number of years served, but rather on the uncompleted portion of the appointment, with a minimum of six weeks and a maximum of three months of indemnity pay. The schedule applicable to permanent appointments would be more appropriate, as it is based on years of completed service, and would provide a simple formula to administer.

10. To accommodate those constraints in the application of the incentive package to the Tribunals, it is recommended that authorization be granted to the Secretary-General to apply the termination indemnities set out under the heading "Permanent appointments", in annex III to the Staff Regulations and Rules for the specific and sole purpose of approving payments related to the retention incentive package for Tribunal staff. The special authorization should be strictly limited to staff of the Tribunals owing to the unique nature of their mandate.

11. Under the envisaged scheme, it is proposed that the retention incentive would apply only to staff who are required to remain with the Tribunals until their services and posts are no longer needed. The proposed incentive, which would only cover service with the Tribunals, would not be payable in the following situations:

(a) Separation from service or resignation prior to the cessation or need for services;

(b) Fixed-term appointment terminated or not renewed on disciplinary grounds or owing to reasons specified in staff regulation 9.1 (a) or for such other reason as may be specified in their letter of appointment;

(c) Staff with less than two years of service at the time the incentive is due;

(d) Staff who are seconded from the United Nations Secretariat and other United Nations common system organizations who have a post waiting for their release at the time of separation from the International Tribunal for the Former Yugoslavia/International Criminal Tribunal for Rwanda.

III. Completion strategy and projected downsizing of posts during the biennium 2008-2009

12. In their reports to the Security Council in the fourth quarter of 2006 (see S/2006/898 and S/2006/951), both Tribunals reported that all efforts were being made as far as possible to stay within the time frame of the completion strategy. Based on the information available at the time of writing of the present report, the Tribunals anticipate the completion of first instance trials, as follows:

(a) International Criminal Tribunal for Rwanda: It is estimated that by the end of 2008, the Tribunal could complete trials of 65 to 70 persons; and

(b) International Tribunal for the Former Yugoslavia: Three trials on first instance will be completed during the first quarter of 2009 with the remaining trials expected to be completed sometime during 2009.

13. It is evident that those projections are tentative and would be subject to review due to external factors beyond the control of the Tribunals, which may impact upon the speed at which trials will be completed, such as the timely arrest and transfer of fugitives, delays in the proceedings resulting from requests for review of cases already tried, unforeseen disclosure of materials, requests for replacement of defence counsel, illness of the accused or counsel, the availability of witnesses to certify statements and provide testimony and State cooperation. Furthermore, the successful completion of trials also depends in large part upon the retention of qualified staff up to the very closing of both Tribunals. An update on the progress made towards the implementation of the completion strategy will be submitted by the Presidents and Prosecutors of the Tribunals to the Security Council in the second quarter of 2007.

14. As at the time of the present report, the Tribunals anticipate that the completion of trials during the biennium 2008-2009 will bring about post reductions in all three organs of the Tribunals (Chambers, the Office of the Prosecutor and the Registry), and in particular in those areas and functions directly related to trial activity, such as legal staff in the Chambers; investigators, trial attorneys and analysts in the Office of the Prosecutor; interpreters/translators; witness support personnel; and court management and technical support staff in the Registry. It is expected that most, if not all judgements at first instance, will be appealed by the defence, prosecution, or both parties. In order to expedite the completion of appeals, the Tribunals will be recommending the strengthening of appellate support work in the Office of the Prosecutor and the Registry through the redeployment of post resources that will be freed with the completion of trials.

15. Even with a phased downsizing of the workforce, there remains a need to maintain staff in all three organs of the Tribunals until their functions are no longer required. As mentioned in previous reports, in all categories and occupational groups, the staff members at the Tribunals possess skills and institutional knowledge that make them essential to the daily functioning of the institutions. The retention and continuity of staff in the Professional and General Service categories is essential for the Tribunals to maintain the fast pace of trial activity required to meet the targets of the completion strategies.

16. While in the last two years the Tribunals have experienced an improvement in turnover rates, those rates are expected to peak as the dates of the completion strategy draw near and even surpass those seen in 2004 when external recruitment was suspended owing to cash flow constraints. The significant post reductions envisaged for the biennium 2008-2009 will inevitably generate high levels of anxiety and impact very negatively on staff morale, which in turn will affect staff turnover. Staff turnover responds in indirect proportion to the time left in the life of the Tribunals. Time is of the essence. As the dates of completion become closer, the rate of departure is expected to grow exponentially. The Tribunals simply cannot afford such a situation if they are expected to conclude their mandates on time and without disruption. For those reasons, it is imperative that consideration be given to the approval of an incentive package without delay.

IV. Conclusions and recommendations

17. The financial implications resulting from the application of the Staff Regulations and Rules, including annex III thereto, would be the same as those described in part III of the previous report of the Secretary-General (A/61/522, paras. 11-22). Details on the calculations of the cost estimates resulting from the implementation of a retention incentive payment are shown in the annex to the present report.

18. As indicated in paragraph 24 of the Secretary-General's report (A/61/522), the establishment of the retention incentive would not entail any financial implications for the biennium 2006-2007 given that disbursements in respect of the retention incentive would be effected towards the end of the completion strategies, mainly in 2009 and 2010. In that respect, the related requirements (total estimated payments of $11.2 million and $12.1 million for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia) would be reflected in the context of the proposed budgets for the years from 2008 to 2010 and would be considered in accordance with established budgetary procedures.

19. **Based on the foregoing, the General Assembly is requested to authorize the Secretary-General to apply the termination indemnities set out under the heading "Permanent appointments" in annex III to the Staff Regulations and Rules for the specific and sole purpose of approving payments related to the retention incentive for staff of the Tribunals under the terms and conditions described in the present report.**

Annex

Detailed information on the financial implications resulting from the introduction of a retention incentive

1. It would be recalled that in order to determine the financial implications of the proposed retention incentive, the Tribunals carried out an analysis of the costs applicable under the status quo as compared to the costs associated with the payment of a retention incentive. The cost components included in the analysis are: (a) the direct costs of appointment and separation of staff (rotation costs); (b) the actual payment of the retention incentive; and (c) the loss of productivity (delays in the proceedings) (A/61/522, para. 11).

2. A summary of the cost-benefit analysis under the two options being considered, namely the no incentive and the retention incentive options, is presented in tables 1 and 2 below. Details on the calculations of the approach taken at arriving at the cost estimates are presented in tables 3 and 4.

3. It should be borne in mind that the figures reflected in the calculations have been derived by reference to the net salary of a staff member at the P-3, step V level, with a dependent spouse and child, as those elements are considered to be representative of the average level and step of the staff members in the Professional and higher categories at the International Criminal Tribunal for Rwanda and International Tribunal for the Former Yugoslavia.

I. Cost of rotation

A. Direct cost of appointment and separation

4. The costs of appointment include air transportation, shipment of personal effects from the place of recruitment to The Hague and Arusha as well as assignment grant. The parameters used were: (a) points of departure from five locations in Europe, North America, Australia and Africa; and (b) current daily subsistence allowance rates in The Hague and Arusha.

5. A similar calculation was performed for departing staff, in which case assignment grant was replaced by repatriation grant, with the other items remaining unchanged. As reflected in tables 3 and 4, the average cost of appointment and separation in respect of one staff member at the P-3, step V level, at the dependency rate amount to approximately $75,000. That represents roughly 91 per cent and 85 per cent of annual net salary (based on 2006 post adjustment levels) or around 11 and 10 months of annual net remuneration for the International Criminal Tribunal for Rwanda and International Tribunal for the Former Yugoslavia, respectively (see tables 3 and 4, items (b), (c) and (d)).

B. Turnover rate

6. The second step was to determine the projected rate of staff turnover in the Tribunals. As indicated in the report of the Secretary-General, should no action be taken to improve staff retention, the number of separations (and hence staff

turnover) is expected to progressively increase as the dates of the completion strategy draw near (A/61/522, para. 18). On that basis an average annual turnover rate of 20 per cent was used for the purpose of the calculations. It should be noted that that rate of staff turnover is in line with the turnover rate experienced during the 2004 recruitment freeze.

7. On the basis of an annual turnover rate of 20 per cent, over a four-year period, from 2007 to 2010, the cumulative rotation would amount to 80 per cent. The direct cost of appointment and separation for that rate of turnover is estimated at $43.2 million and $27.6 million for the International Criminal Tribunal for Rwanda and International Tribunal for the Former Yugoslavia, respectively (see tables 3 and 4, item (g)).

8. Clearly, the introduction of the retention incentive will not result in zero turnover, as it is expected that some staff will continue to leave for better and more stable career opportunities regardless of the "retention incentive" (albeit at a lower rate). Therefore, the calculation also includes the costs associated with rotation of staff after the approval of the retention incentive scheme. It is estimated that the introduction of the retention incentive will bring about a reduction of 50 per cent in staff turnover rates. Therefore, the total rotation costs under the retention incentive option have been estimated at $21.6 million and $13.8 million for the International Criminal Tribunal for Rwanda and International Tribunal for the Former Yugoslavia, respectively (see tables 3 and 4, item (g)). The difference in rotation costs between the Tribunals is due mainly to the higher number of international staff (Professional, Field Service and international General Service staff) working in the International Criminal Tribunal for Rwanda as compared to the International Tribunal for the Former Yugoslavia.

II. Cost of retention incentive

9. The third step requires the determination of the average payments resulting from the introduction of the retention incentive. The proposed retention incentive would be equivalent to one month's salary for each completed year of service. Assuming a projected average seniority of five years for staff of both Tribunals, that would translate into an average payment equivalent to five months of net salary in respect of each Professional staff. It should be noted that that is a worst case scenario, as not all staff would qualify for the payment of the incentive owing to a number of factors, such as: (a) their seniority (if less than two years); (b) voluntary departures prior to the abolition of the post; and (c) contractual status of the staff member in question.

10. After taking into account the above-listed factors, it is assumed that on average 40 per cent of internationally recruited staff and 50 per cent of locally recruited staff would qualify for the payment of the incentive at the International Tribunal for the Former Yugoslavia. With respect to the International Criminal Tribunal for Rwanda, the same assumptions would apply for internationally recruited staff. However, for locally recruited staff, a 70 per cent qualifying factor has been used.

11. Based on the above assumptions, the total retention incentive payments are estimated at $11.2 million and $12.1 million for the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, respectively (see tables 3 and 4, item (v)).

III. Loss of productivity

12. The fourth step involved the determination of the loss of productivity component. Owing to the specialized knowledge of many occupations at the Tribunals, recruitment lead times can be considerable, from six months upwards. Furthermore, the time required to bring new recruits up to speed can also be significant, from 6 to 12 months are required for staff in legal and investigative positions to familiarize themselves with the region and conflicts.

13. On that basis, it is estimated that the delays in proceedings that could be brought about by an ever-increasing rate of staff rotation could range from 6 to 12 months. For the purpose of that exercise, a six-month delay in the scheduled completion of one trial has been used in the calculations. In order to calculate the financial implications of a delay in proceedings, it was first necessary to estimate the budget obtaining in 2010; i.e., the year when the appellate process is scheduled to come to an end. It was assumed that the budget of the Tribunals in 2010 would represent some 50 per cent of the approved budget for 2006-2007. That would translate into projected annual budgets for 2010 of $65 million and $60 million for the International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda, respectively. A six-month extension in proceedings would then yield financial implications of roughly $30 million for both Tribunals.

14. Tables 1 and 2 summarize the cost-benefit analysis under the two options being considered, namely the no incentive and the retention incentive options.

Table 1
Cost-benefit analysis for the International Criminal Tribunal for Rwanda under the two options
(Millions of United States dollars)

Cost component	*No incentive*	*Retention incentive*
Loss of productivity	30.0	—
Rotation costs	43.2	21.6
Retention incentive[a]	—	11.2
Total	**73.2**	**32.8**

[a] Detailed calculations are reflected in table 3.

Table 2
Cost-benefit analysis for the International Tribunal for the Former Yugoslavia under the two options
(Millions of United States dollars)

Cost component	*No incentive*	*Retention incentive*
Loss of productivity	30.0	—
Rotation costs[a]	27.6	13.8
Retention incentive[a]	—	12.1
Total	**57.6**	**25.9**

[a] Detailed calculations are reflected in table 4.

Table 3
Detailed calculation of cost of rotation and cost of retention incentive payment for the International Criminal Tribunal for Rwanda

I.	**Cost of rotation (Appointment and separation)**		
	Internationally recruited staff	**No incentive**	**Retention incentive**
	(a) Annual net salary P-3/V (D) plus one child		$82 000
	(b) Direct cost of appointment and separation	$75 000	$75 000
	(c) Item (b) as a percentage of annual remuneration (b/a)	91%	91%
	(d) Item (b) expressed in number of months	11	11
	(e) Projected turnover through 2010 (in per cent)	80%	40%
	(f) Number of internationally recruited assessed budget posts	720	720
	(g) Total cost of rotation (b*e*f)	**$43 200 000**	**$21 600 000**
II.	**Cost of retention incentive**		
	A. Internationally recruited staff	**No incentive**	**Retention incentive**
	(h) Annual net salary P-3/V (D) plus one child		$82 000
	(i) Monthly net salary P-3/V (D) plus one child		$6 833
	(j) Projected average seniority of staff (in years)		5
	(k) Equivalent retention incentive payment (in months)		5
	(l) Estimated percentage of staff qualifying for incentive		40%
	(m) Number of internationally recruited assessed budget posts		720
	(n) Subtotal (i*k*l*m)	—	**$9 839 500**
	B. Locally recruited staff	**No incentive**	**Retention incentive**
	(o) Annual net salary G-4/V (D) plus one child		$14 500
	(p) Monthly equivalent		$1 208
	(q) Projected average seniority of staff (in years)		5
	(r) Equivalent retention incentive payment (in months)		5
	(s) Estimated percentage of staff qualifying for incentive		70%
	(t) Number of locally recruited assessed budget posts		322
	(u) Subtotal (p*r*s*t)	—	**$1 361 400**
	(v) Total cost of retention incentive (n+u)	—	**$11 200 900**
III.	**Overall costs (g+v)**	**$43 200 000**	**$32 800 900**

Table 4
Detailed calculation on cost of rotation and cost of retention incentive payment for the International Tribunal for the Former Yugoslavia

I.	**Cost of rotation (Appointment and separation)**		
	Internationally recruited staff	**No incentive**	**Retention incentive**
	(a) Annual net salary P-3/V (D) plus one child	$89 700	$89 700
	(b) Direct cost of appointment and separation	$76 000	$76 000
	(c) Item (b) as a percentage of annual remuneration (b/a)	85%	85%
	(d) Item (b) expressed in number of months	10	10
	(e) Projected turnover through 2010 (in per cent)	80%	40%
	(f) Number of internationally recruited assessed budget posts	454	454
	(g) Total cost of rotation (b*e*f)	**$27 603 200**	**$13 801 600**
II.	**Cost of retention incentive**		
	A. Internationally recruited staff	**No incentive**	**Retention incentive**
	(h) Annual net salary P-3/V (D) plus one child		$89 700
	(i) Monthly net salary P-3/V (D) plus one child		$7 475
	(j) Projected average seniority of staff (in years)		5
	(k) Equivalent retention incentive payment (in months)		5
	(l) Estimated percentage of staff qualifying for incentive		40%
	(m) Number of internationally recruited assessed budget posts		454
	(n) Subtotal (i*k*l*m)	**—**	**$6 787 300**
	B. Locally recruited staff	**No incentive**	**Retention incentive**
	(o) Annual net salary G-4/V (D) plus one child		$47 410
	(p) Monthly equivalent		$3 951
	(q) Projected average seniority of staff (in years)		5
	(r) Equivalent retention incentive payment (in months)		5
	(s) Estimated percentage of staff qualifying for incentive		50%
	(t) Number of locally recruited assessed budget posts		536
	(u) Subtotal (p*r*s*t)	**—**	**$5 294 300**
	(v) Total cost of retention incentive (n+u)	**—**	**$12 081 600**
III.	**Overall costs (g+v)**	**$27 603 200**	**$25 883 200**